

TLM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
03 JUN 18 AM 9:49

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
Miguel Angel GURROLA-Landa,)
)
Defendant.)
_____)

Magistrate Case No. 08 MJ1883COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326

Attempted Entry After

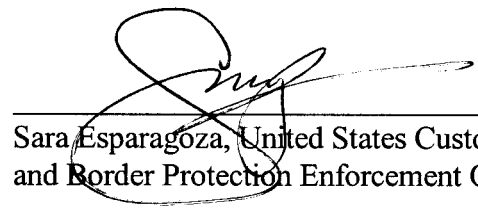
Deportation

EC
DEPUTY

The undersigned complainant being duly sworn states:

On or about **June 16, 2008**, within the Southern District of California, defendant **Miguel Angel GURROLA-Landa**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the **San Ysidro Port of Entry**, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS **18th** DAY OF
JUNE, 2008.


UNITED STATES MAGISTRATE JUDGE

TKM

PROBABLE CAUSE STATEMENT

On June 16, 2008 at approximately 11:21 PM, **Miguel Angel GURROLA-Landa (Defendant)** attempted to enter the United States at the San Ysidro Port of Entry while concealed behind the rear seat of a 2004 Chevrolet Silverado Pick-up. A Customs and Border Protection (CBP) Officer discovered Defendant while conducting primary inspectional duties on the vehicle primary lanes. The vehicle and its occupants were subsequently escorted to secondary for a more thorough inspection.

In secondary, Defendant was queried by ten-digit fingerprint submission through the Integrated Automated Fingerprint Identification System (IAFIS). IAFIS resulted in a positive match to the query, revealing Defendant's true identity and linking him to Immigration and FBI records.

Immigration service records, including the Deportable Alien Control System (DACS) identify Defendant as a citizen of Mexico without legal rights or entitlements to enter the United States. DACS records reveal Defendant was ordered deported by an Immigration Judge on or about December 12, 2001 and subsequently removed from the United States to Mexico. DACS indicates Defendant was last removed from the United States to Mexico on or about March 31, 2008. Immigration Service records contain no evidence that Defendant has applied for or received permission from the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security to legally re-enter the United States.